

## CITY OF VANCOUVER



## BUSINESS LICENSE HEARING MINUTES

OCTOBER 27, 2005

A Business License Hearing of the Council of the City of Vancouver was held on Thursday, October 27, 2005, at 9:30 a.m., in the Council Chamber, Third Floor, City Hall, to hear an appeal from the suspension by the Chief License Inspector of the 2005 business license (the "License") issued to Frances Kathleen Maude Viscount doing business as Fran's Grocery (the "Licensee"), for business premises located at 635 Commercial Drive, Vancouver, British Columbia (the "Premises").

**PRESENT:** Councillor Anne Roberts, Chair  
Councillor Peter Ladner  
Councillor Sam Sullivan

**CITY CLERK'S OFFICE:** Denise Salmon, Meeting Coordinator

1. **Fran's Grocery**  
**635 Commercial Drive (File 2711-108)**

The Business License Hearing Panel had before it for consideration an Evidence Brief, prepared by the City of Vancouver's Legal Department (*on file in the City Clerk's Office*), including a Notice of Hearing which set out the start time of the meeting as 9:30 a.m..

Catherine Kinahan, Counsel, was present on behalf of the City of Vancouver. Frances Kathleen Maude Viscount, the Licensee, was not present.

Ms. Kinahan advised the Licensee had been phoned several times, the reason for her absence was not known, and suggested the Panel adjourn and be available until 10:00 a.m to continue the Hearing should the Licensee arrive. Ms. Kinahan also advised this Hearing was to hear an appeal from the suspension by the Chief License Inspector of the 2005 business license (the "License") issued to Frances Kathleen Maude Viscount doing business as Fran's Grocery (the "Licensee"), for business premises located at 635 Commercial Drive, Vancouver, British Columbia (the "Premises"). Ms. Kinahan did not lead any evidence.

**PANEL MEMBERS DISCUSSION**

The Panel agreed to recess at 9:35 a.m. and be available until 10:00 a.m. to continue the Hearing should the Licensee arrive. The Panel reconvened at 10:00 a.m.

MOVED by Councillor Sullivan

THAT the Business License Hearing with regard to the suspension by the Chief License Inspector of the 2005 City of Vancouver Business License granted to Frances Kathleen Maude Viscount doing business as Fran's Grocery (the "Licensee"), for business premises located at 635 Commercial Drive, Vancouver, British Columbia (the "Premises"), be adjourned due to the failure of the Licensee to appear within 30 minutes of the scheduled start time of the Hearing, and

FURTHER THAT the Licensee's appeal of the rejection of her application be considered abandoned and the suspension accordingly upheld.

CARRIED UNANIMOUSLY

The Business License Hearing Panel adjourned at 10:00 a.m.

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**Note from Deputy Chief License Inspector:**

We have had a very unusual incident regarding the Business License Hearing that was scheduled for Oct 27th, 2005 at 9:30 am

This was an appeal to a Business License Suspension.

The Hearing was scheduled for 9:30am as the license holder did not appear the Panel waited until 10:00 am, at which time the Hearing was adjourned & the appeal was considered abandoned.

We found out this morning that the courier was unable to deliver the evidence package to the license holder & she did not receive this or have knowledge that the Hearing was schedule for the 27th of October.

Due to the upcoming election and Councillors' previous commitments it was not possible to reassemble the Business License Panel for the November 1st, 2005 date.

In the circumstances the Deputy Chief License Inspector will hold the suspension of the business license in abeyance until such time as the Hearing can be rescheduled.

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October 28, 2005

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